

PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

| | | | |
|---|----------------------|------------------------|----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/716,253 | |
| | Filing Date | November 17, 2003 | |
| | First Named Inventor | Eric Chapoulaud | |
| | Art Unit | 2877 | |
| | Examiner Name | Not assigned yet | |
| Total Number of Pages in This Submission | 5 | Attorney Docket Number | 2102402-914991 |

ENCLOSURES (Check all that apply)

| | | |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard |
| Remarks The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1896. A duplicate copy of this sheet is enclosed. Customer No. 26379 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | |
|-------------------------|--|
| Firm Or Individual name | Alan A. Limbach, Reg. No. 39,749 Gray Cary Ware & Freidenrich LLP |
| Signature | |
| Date | June 23, 2004 |

CERTIFICATE OF TRANSMISSION/MAILING

| | | | |
|---|-----------------|------|---------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Kathleen LaBrie | | |
| Signature | | Date | June 23, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



INFORMATION DISCLOSURE STATEMENT

| | |
|----------------------|--|
| Applicants: | Eric Chapoulaud |
| Application No. | 10/716,253 |
| Filed: | November 17, 2003 |
| For: | Particle Extraction for Automatic Flow Microscope |
| Group Art Unit: | 2877 |
| Examiner: | Not assigned yet |
| Attorney Docket No.: | 2102402-914991 |

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

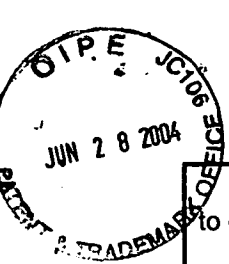
This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☒ is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; **OR**
- (c) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below **OR**
- (d) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (e) ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (f) ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed



The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896

Respectfully submitted,

Date: June 23, 2004

GRAY CARY WARE & FREIDENRICH LLP

By: Alan A. Limbach
Alan A. Limbach
Reg. No. 39,749
Attorneys for Applicant(s)

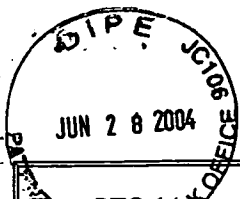
Gray Cary Ware & Freidenrich LLP
2000 University Avenue, East Palo Alto, CA
94303-2248
Phone: 650-833-2433
Facsimile: 650-8332001

☒ Customer Number or Bar Code Label

26379
(Insert Customer No. or Attach bar code label here)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents; P. O. Box 1450, Alexandria, VA 22313-1450.

June 23, 2004 Kathleen Haber
Date Signature



Form PTO-1429
(modified 2/91)

U.S. DEPT. OF COMMERCE
Patent and Trademark Office

Attorney Docket Number:
2102402-914991

Serial Number:
10/716,253

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Applicants: Eric Chapoulaud

Filing date: November 17, 2003

Group art unit: 2877

U.S. PATENT DOCUMENTS

| Examiner Initial | Patent No. Publication No. | Date | Name | Class | Sub-class | Filing date if appropriate |
|------------------|----------------------------|----------|---------------|-------|-----------|----------------------------|
| /A.W./ | 5,600,761 | 02/04/97 | Ng et al. | | | |
| ↓ | 6,269,194 | 07/31/01 | Nichani | | | |
| | 6,272,253 | 08/07/01 | Bannon et al. | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| | Document number | Date | Country | Class | Sub-class | Translation | |
|--|-----------------|------|---------|-------|-----------|-------------|----|
| | | | | | | YES | NO |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|--|--|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Examiner: /Akililu Woldemariam/

Date Considered: 04/13/2007

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.